



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/823,699

03/30/2001

Munchide Kano

50026/022002

7451

21559

7590

05/13/2004

CLARK & ELBING LLP
101 FEDERAL STREET
BOSTON, MA 02110

EXAMINER

LI, QIAN JANICE

ART UNIT

PAPER NUMBER

1632

DATE MAILED: 05/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
---------------	-------------	-----------------------	---------------------

09/823,699 3/20/01 Kano

50026/022002

EXAMINER

G Janice Li

ART UNIT	PAPER NUMBER
----------	--------------

1632

DATE MAILED:

EXAMINER INTERVIEW SUMMARY RECORD

All participants (applicant, applicant's representative, PTO personnel):

- (1) G Janice Li, PRO (3) _____
(2) Chalin A. Smith, Appl. Rep. (4) _____

Date of interview 5/10/04

Type: ☐ Telephonic ☒ Personal (copy is given to ☐ applicant ☒ applicant's representative).

Exhibit shown or demonstration conducted: ☐ Yes ☐ No. If yes, brief description:

Handwritten: Flanagan, Hurwitz, Yu, & Kait 27 Associate power of Attorney for Ms. Smith

Agreement ☐ was reached with respect to some or all of the claims in question. ☐ was not reached.

N/A

Claims discussed: all pending claims

Identification of prior art discussed: same as above identified

Description of the general nature of what was agreed to if an agreement was reached, or any other comments:

Ms. Smith pointed out that the Sendai virus strain V- disclosed by Yu et al only being used in vitro, there is no reasonable expectation of success for vaccine efficacy since Hurwitz et al teach live virus vaccine. The Examiner pointed out the claims as written encompass live and attenuated or inactivated if claims are amended to be commensurate with the scope. The argument may be persuasive.

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

☐ 1. It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph below has been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW (e.g., items 1-7 on the reverse side of this form). If a response to the last Office action has already been filed, then applicant is given one month from this interview date to provide a statement of the substance of the interview.

☐ 2. Since the examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action. Applicant is not relieved from providing a separate record of the substance of the interview unless box 1 above is also checked.